

## **NOTICE OF HEARING FOR THE ADOPTION OF TEMPORARY AMENDED REGULATIONS**

The Chiropractic Physicians' Board of Nevada will hold a public hearing by videoconference which is set to begin at **11:30 am on Tuesday, October 12, 2004**, in the **Legislative Building at 401 South Carson St., Room 3138, Carson City, Nevada 89701** and in the **Grant Sawyer State Office Building at 555 E. Washington Avenue, Room V4406, Las Vegas, Nevada 89801**. The purpose of the hearing is to receive comments from all interested persons regarding the Adoption, Amendment or Repeal of temporary regulations that pertain to chapter 634 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment:

**Updated to make process more efficient to better protect the public and eliminate unnecessary provisions.**

2. Either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved:

**The substance of the regulations is as follows:**

**NAC 634.350 Application for certification: Filing; requirements; expiration; waiver of requirements.**

**NAC 634.355 Certification: Additional requirements; waiver of requirements.**

**NAC 634.3665 Requirements to perform manipulation on patient under anesthesia.**

**NAC 634.385 Continuing education of licensees.**

**NAC 634.430 Unprofessional conduct: Interpretation of statutory definition; rebuttable presumption of sexual misconduct.**

**NAC 634.460 Chiropractor's Assistant, chiropractor's assistant for massage and chiropractor's assistant trainee: Prohibited acts; duty of supervising licensee; required statement.**

3. The estimated economic effect of the regulation on the business that it is to regulate and on the public:

(a) Both adverse and beneficial effect:

**As to the provision to provide manipulation under mild sedation in a non-hospital or surgical center, there is an immediate and long-term beneficial effect for the public, and**

(B) Both immediate and long-term effects:

**Beneficial effects include greater efficiency for the board, both immediate and long term.**

4. The estimated cost to the agency for enforcement of the proposed regulation:

**There are no known additional costs to the agency.**

5. A description of and citation to any regulations of other state or local governmental agencies that the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency:

**These proposed regulations do not overlap or duplicate any known local, state or federal regulations.**

6. If the regulation is required pursuant to federal law, a citation and description of the federal law:

**Not applicable.**

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:

**These regulations do not include provisions which are more stringent than a federal regulation.**

8. Whether the proposed regulation establishes a new fee or increases an existing fee:

**Not applicable.**

Persons wishing to comment upon the proposed action of the Chiropractic Physicians' Board of Nevada may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to the Chiropractic Physicians' Board of Nevada, 4600 Kietzke Lane, Suite M-245, Reno, Nevada 89502. Written submissions must be received by the Chiropractic Physicians' Board of Nevada on or before October 4, 2004. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Chiropractic Physicians' Board of Nevada may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be Adopted, Amended or Repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be Adopted, Amended or Repealed will be available at the Chiropractic Physicians' Board of Nevada at 4600 Kietzke Lane, Suite M-245, Reno, Nevada 89502 and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the

State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Chiropractic Physicians' Board of Nevada  
4600 Kietzke Lane, Suite M-245  
Reno, Nevada 89502

Washoe County Courthouse  
201 S. Virginia St.  
Reno, Nevada 89501

Carson City Library  
900 North Roop Street  
Carson City, Nevada 89701

Mineral County Library  
P. O. Box 1390  
Hawthorne, Nevada 89415

Churchill County Library  
553 South Maine Street  
Fallon, Nevada 89406

Tonopah Public Library  
P. O. Box 449  
Tonopah, Nevada 89049

Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada 89101

Pershing County Library  
P. O. Box 781  
Lovelock, Nevada 89419

Douglas County Library  
P. O. Box 337  
Minden, Nevada 89423

Storey County Library  
P. O. Box 14  
Virginia City, Nevada 89440

Elko County Library  
720 Court Street  
Elko, Nevada 89801

Washoe County Library  
P. O. Box 2151  
Reno, Nevada 89505

Goldfield Public Library  
P. O. Box 430  
Goldfield, Nevada 89013

Humboldt County Library  
85 East 5<sup>th</sup> Street  
Winnemucca, Nevada 89445

Lincoln County Library  
P. O. Box 330  
Pioche, Nevada 89043

Eureka Branch Library  
P. O. Box 293  
Eureka, Nevada 89316

White Pine County Library  
950 Campton Street  
Ely, Nevada 89301

Battle Mountain Branch Library  
P. O. Box 141  
Battle Mountain, Nevada 89820

Lyon County Library  
20 Nevin Way  
Yerington, Nevada 89447